

Section 410 - Building Code

410.01 State Building Code Adopted. There is hereby adopted and incorporated herein by reference, as a section of this Code, the Minnesota State Building Code (the "MSBC") as promulgated by the State Department of Administration pursuant to M.S. 16B.59 through 16B.75. The Minnesota State Building Code includes the following chapters of Minnesota Rules:

1. 1300, Administration of the Minnesota State Building Code;
2. 1301, Building Official Certification;
3. 1302, State Building Code Construction Approvals;
4. 1303, Minnesota Provisions;
5. 1305, Adoption of the 2006 International Building Code;
6. 1307, Elevators and Related Devices.
7. 1309, Adoption of the 2006 International Residential Code;
8. 1311, Adoption of the 2000 Guidelines for the Rehabilitation of Existing Buildings;
9. 1315, Adoption of the 2011 National Electrical Code;
10. 1322, Residential Energy Code;
11. 1323, Commercial Energy Code;
12. 1325, Solar Energy Systems;
13. 1335, Floodproofing Regulations;
14. 1341, Minnesota Accessibility Code;
15. 1346, Adoption of the 2006 International Mechanical/Fuel Gas Codes;
16. 1350, Manufactured Homes;
17. 1360, Prefabricated Structures;
18. 1361, Industrialized/Modular Buildings;
19. 1370, Storm Shelters (Manufactured Home Parks);
20. 4715, Minnesota Plumbing Code

Adoption includes the following, but only the following, listed optional provisions of the MSBC except, however that fees shall be as provided in Section 185. The optional provisions which are hereby adopted are as follows:

- A. Chapter 1306 with 1306.0020, Subp. 2 of the MSBC relating to Special Fire Protection Systems.
- B. Chapter 1335, parts 1335.0600 to 1335.1200 of the MSBC relating to Floodproofing.

410.02 Fees and Surcharges.

Subd. 1 **Fees.** Permit fees required or authorized by the MSBC or the IBC shall be in the amounts set forth in Section 185 of this Code.

Subd. 2 **Other Permit Related Fees.** Reinspection fees, inspections outside normal business hours, inspections for which no fee is specifically indicated and fees for

additional plan review required by loss, changes, additions or revisions to plans shall be in the amounts set forth in Section 185 of this Code.

Subd. 3 **Investigation Fee.** If work for which a permit is required by the code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for the work. An investigation fee, as authorized by MSBC Chapter 1300.0160 Subp. 8, shall be collected, and is in addition to the required permit fees. The investigation fee shall be equal to the permit fee.

Subd. 4 **Outside Consultant Fees.** Plan review, inspections and/or consultation fees for outside consultants may be collected and shall comprise the actual costs to the City.

Subd. 5 **Surcharge.** In addition to the fees charged pursuant to Subd. 1 of this Subsection, each applicant for a permit shall pay a surcharge to the City in the amount set forth in M.S. 16B.70 to be remitted to the State Department of Administration pursuant to M.S. 16B.70.

Subd. 6 **Additional Surcharge.** In addition to the fees charged pursuant to Subd. 1 and Subd. 5 of this Subsection, each building permit issued for work that requires a licensed residential building contractor, remodeler, or specialty contractor pursuant to, and as defined in M.S. 326.83 and 326.84 (Chapter 306, 1991 Session Laws), shall pay to the City a surcharge as allowed by M.S. 326.86, and in the amount set forth in Section 185 of this Code.

410.03 Organization and Enforcement. The organization of the Building Department of the City, and enforcement of this Section, shall be as established by Chapter 1300 of the Minnesota State Building Code.

410.04 Penalty. Any person who violates or fails to comply with any provision of this Section shall be subject to the penalties provided by Subsection 100.09 of this Code, and shall also be subject to other penalties and remedies available to the City under the MSBC.”

History: Ord 410 8-10-88, Ord 1995-1 3-29-95; Ord 1999-8 4-14-99; Ord 2004-4, 4-29-04; Ord 2007-14, 7-17-07; 2012-07, 02-21-2012

Reference: M.S. 16B.59 through 16B.73, 16B.70, 326.83, 326.84, 326.86

Cross Reference: Section 185, Subsection 100.09